THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.24974 of 2006

04.12.2006

Between:

A.S.Gurappa, S/o.V.Subbaiah

... Petitioner

AND

The Revenue Divisional Officer, Tirupathi, Chittoor District
And others

... Respondents

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.24974 of 2006

ORDER:

The petitioner herein filed an application for grant of ryotwari patta under A.P. (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Act, 1956 (the Act, for brevity) before the Inams Deputy Tahsildar, the second respondent herein. By an order dated 25.7.2006, the second respondent considered the claim of the petitioner and respondents 3 to 11 and also large number of persons who either claimed ryotwari patta in their own right or as successors from the earlier grantees, who were allegedly granted such patta in 1980 from the then Inams Deputy Tahsildar (IDT). Assailing this, the petitioner and others filed writ petitions. This Court disposed of W.P.No.21854 of 2006 along with connected matter on 01.11.2006 directing the Revenue Divisional Officer (RDO), Tirupathi, before whom appeals were already filed, to pass appropriate orders in the applications for stay moved by the petitioner and others. In obedience thereto, the first respondent has now passed orders in ROC Nos.2059 and 2200 of 2006, dated 20.11.2006, rejecting the applications for grant of stay on the ground that "there is no sufficient cause, as there is no public interest is involved on the said lands for grant of stay of the orders of IDT, Chittoor". Aggrieved by the same, the present writ petition is filed.

This Court has heard learned Counsel for the petitioner, learned Counsel for 4th respondent and learned Counsel for respondents 5 to 10.

Learned Counsel for the petitioner submits that the petitioner purchased the land admeasuring Acs.3.17 from D.Ramaraju under registered sale deed dated 26.3.2005, that petitioner's vendor purchased the property from the grantee and ryotwari patta in Form No.8 dated 06.12.1980, that his name also found in the adangals, which will conclusively prove the possession. Learned Counsel for contesting respondents refutes the allegation. Their apprehension is that in the guise of stay, there is likelihood of the petitioner entering or inducting third parties into the land.

There is a dispute as to the possession of the land. Admittedly contesting respondents were granted patta by reason of the orders passed by the second respondent on 25.7.2006. Even if they have to take possession of the land from the third parties or the petitioner whose claim is now rejected, they have to seek remedy before civil Court. In this background if *status quo* is not ordered, there is likelihood of subverting public interest, as it may result in land and order situation. Therefore, an order of *status quo* as to possession and further prohibiting from creation of third party right would subserve

public interest as well as justice. Therefore, this Court is of considered opinion that the first respondent should dispose of the appeals within a period of eight weeks from the date of receipt of a copy of this order and also ensure that the *status quo* shall be maintained by all the parties to the proceedings.

The writ petition, with the above observations, is accordingly disposed of. No costs.

December 04, 2006 (**V.V.S.RAO, J**)

NOTE:
Dispatch order copy by
11.12.2006.
(By order)
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